

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 1975	DATE	10/3/2001
CASE TITLE	Top Rank, Inc. Vs. JRS Hideout, Inc. etc. et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

## Memorandum Opinion and Order

## DOCKET ENTRY:

- (1)  Filed motion of [ use listing in "Motion" box above.]
- (2)  Brief in support of motion due \_\_\_\_\_.
- (3)  Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4)  Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5)  Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6)  Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7)  Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8)  [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9)  This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
 FRCP4(m)  General Rule 21  FRCP41(a)(1)  FRCP41(a)(2).
- (10)  [Other docket entry] Enter Memorandum Opinion and Order. Defendant Darlene Cole Conley filed a motion to dismiss. Because she included various materials outside the complaint we treated it as a motion for summary judgment. The motion for summary judgment is denied.
  
- (11)  [For further detail see order attached to the original minute order.]

<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No notices required, advised in open court.  No notices required.  Notices mailed by judge's staff.  Notified counsel by telephone.  Docketing to mail notices.  Mail AO 450 form.  Copy to judge/magistrate judge.	(V)  10/3/2001 10/3/2001 FOR DOCKETING 01 OCT -4 AM 8:09	number of notices	Document Number  OCT 04 2001 docketing deputy initials 24 date mailed notice mailing deputy initials
			OCT 04 2001	
			date docketed	
			<i>JP</i>	
			docketing deputy initials	
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			date mailed notice	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TOP RANK, INC., a Nevada corporation, )  
Plaintiff, )  
vs. ) No. 00 C 1975  
JRS HIDEOUT, INC., a dissolved Illinois corporation d/b/a LA Hideout, and REYNALDO FROYLAN, DARLENE COLE CONLEY and VICKI PHILLIPS, )  
Defendants. )

MEMORANDUM OPINION AND ORDER

Defendant Darlene Cole Conley filed a motion to dismiss. Because she included various materials outside the complaint we treated it as a motion for summary judgment and asked plaintiff to respond. Plaintiff did so, including an exhibit, a copy of a liquor license that purportedly is signed by Darlene Cole Conley as the corporation owner. That is enough to defeat the motion and to permit plaintiff to take Conley's deposition to test her affidavit and to seek an explanation of the liquor license. The motion for summary judgment is denied.

  
\_\_\_\_\_  
JAMES B. MORAN  
Senior Judge, U. S. District Court

Oct. 3, 2001.

**DOCKETED**

OCT - 4 2001

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